

Regular Session, 2009

SENATE BILL NO. 228

BY SENATOR GRAY EVANS

TAX/TAXATION. Grants a tax credit for certain low-income homeowners who are residential lessees, not to exceed \$330. (gov sig)

AN ACT

To enact R.S. 47:297.13, relative to individual income tax; to provide certain tax credits against certain taxes for certain homeowners who are also residential lessees; to provide for definitions; to provide for effective dates; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:297.13 is hereby enacted to read as follows:

**§297.13. Housing credit for low-income homeowners**

**A.(1) The purpose of this Subsection is to temporarily offset increased hurricane and storm-related housing costs for targeted homeowners who are also residential lessees in an effort to address needs for decent, safe and sanitary housing situated in safe, livable neighborhoods that are affordable to persons of low and moderate income.**

**(2) For purposes of this Section, the following terms and phrases shall have the following meanings:**

**(a) "Homeowner" means a taxpayer who owns and occupies a residence that is the taxpayer's primary residence.**

1                   **(b) "Housing costs" means the expenses of mortgage, rent, property**  
2                   **insurance, property taxes, and utilities.**

3                   **(c) "Income criteria" means an annual household income which does not**  
4                   **exceed the equivalent of two hundred fifty percent of the poverty income**  
5                   **guidelines as determined by the U.S. Department of Health and Human**  
6                   **Services.**

7                   **B. For tax years beginning during 2009, 2010, and 2011, there shall be**  
8                   **a credit against the tax imposed by this Chapter for a homeowner who is also**  
9                   **a residential lessee, and who meets the income criteria provided for in**  
10                  **Subparagraph (A)(2)(c) of this Section, not to exceed three hundred thirty**  
11                  **dollars per tax year.**

12                  Section 2. This Act shall become effective upon signature by the governor or, if not  
13                  signed by the governor, upon expiration of the time for bills to become law without signature  
14                  by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
15                  vetoed by the governor and subsequently approved by the legislature, this Act shall become  
16                  effective on the day following such approval.

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The original instrument was prepared by Dawn Romero Watson. The following digest, which does not constitute a part of the legislative instrument, was prepared by Riley Boudreaux.

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#### DIGEST

Gray Evans (SB 228)

Proposed law grants an income tax credit for tax years beginning during 2009, 2010, and 2011 to a "homeowner " who is also a "residential lessee", and whose annual household income does not exceed the equivalent of 250% of the poverty income guidelines as determined by the U.S. Department of Health and Human Services, not to exceed \$330 per tax year.

"Homeowner" is defined as a taxpayer who owns and occupies a residence that is the taxpayer's primary residence.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S.47:297.13)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Revenue and Fiscal Affairs to the original bill.

1. Changes the credit from 1% of the federal earned income tax credit for homeowners or residential lessees whose annual household income did not exceed the equivalent of 200% of poverty income guidelines and who could demonstrate housing costs exceeding forty percent of his household's annual income, to a credit to homeowners who are also residential lessees, and whose annual household income does not exceed the equivalent of 250% of the poverty income guidelines, not to exceed \$330 per tax year.
2. Changes the effective date to an emergency clause.